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NATIONAL SECURITY COUNCIL

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May 24, 1976

MEMORANDUM FOR MRS. JEANNE W. DAVIS

FROM:

Steven L. Skancke *Steve*

SUBJECT:

SSC Request for LBJ Material on Cuba and JFK Assassination

As you know, research staff members from the Senate Select Committee visited the LBJ Library in Austin three weeks ago and reviewed material relating to alleged attempts to assassinate Cuban Premier Fidel Castro and information related to the Warren Commission Report on the assassination of President Kennedy. As a result of the review of those files, the Senate Select Committee Staff has asked that certain documents be returned and made available to them in Washington. In accordance with the arrangements made between the NSC Staff and Archives, these materials have been forwarded for our review prior to release to the SSC Staff. Accordingly, last Thursday we received a package of 63 documents from Archives for review.

John Matheny and I have reviewed each of these documents and believe that although it is probably not possible to withhold the documents in their entirety, ~~that~~ in many cases the Committee may be restricted to only having access to the documents on Archives or NSC premises. Staff members from the Committee have already reviewed the documents but were not allowed to take substantive notes during their review.

The documents have been divided into eight separate categories of information, and a brief discussion and recommendation for handling documents within each of these categories now follows:

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see my notes
Why does this Committee want all this? They go out on 31 May

(43)

The documents themselves are tabbed as an attachment to this memorandum and the letter on the Tab corresponds to the letter associated with the paragraph headings below.

- A. NSC/WH Papers. Documents 1, 1a thru 1m, 5, 6, 7, 8, 17 and 19 were prepared for, or as a result of, White House or NSC meetings. Document #1i is a briefing paper for the President for his participation in a meeting and Document #5 is a record of the meeting of December 27, 1963 in which the President actually participated. John and I believe these documents constitute privileged information and, as a result, as a matter of principle should not be physically turned over to the Committee Staff. Substantively, we have no objection to allowing the Committee Staff to read this material or to have repeated access to it, however. Such access arrangements could be worked out through the National Archives or could be handled directly by the NSC Staff.

I agree with

Did we do this before?

- B. CIA Papers. Documents 2, 3, 3a, 3b, 4, 4a, 4b, 11, 18, 18a, 20, 20a, 22, 23, 23a and 25 were prepared by the Central Intelligence Agency and either forwarded directly to the White House or were generally circulated by that agency. John and I have no objection to making these documents available to the SSC Staff but believe that the matter should be resolved by the CIA. We understand that Document #3, for example, has already been made available by the CIA and would thus believe that CIA would have no objection to also releasing #4a which appears to be an earlier draft of #3.

OK we will

My own reaction is that the release of information contained in many of these documents could be expected to damage either our relations with a particular country, Mexico for example, in the case of Document 20a, or compromise specific sources and methods of intelligence. I realize, however, that we must defer to CIA on protection of sources and methods.

- C. FBI Papers. Documents 10, 12, 12a, 14, 14a, 13, 13a, 15, 15a, 15b, 16, 16a, 16b, were prepared^{by} or are the responsibility of the Federal Bureau of Investigation. Again, although we have no major substantive problem with the release of this information on a classified basis, we believe that the FBI should be asked to review it to ascertain that the sources of intelligence described in these documents would not be unduly compromised by releasing it to the Senate Select Committee Staff. With regard to documents in the #12 series, I don't believe that the two covering notes concerning distribution of the document to Governor Connally relate to the Committee inquiry and, thus, would recommend that they simply be removed. In Document 12a itself the matter for resolution by the FBI is whether disclosure of the information would identify sources of intelligence.

Documents in the 13 and 15 series relate to intelligence reports on the training of Negroes in Cuba for subversive operations against the United States. Although we don't believe this is relevant to the Committee investigation, we believe the matter of disclosure should be considered by the FBI. In this case, however, recent events would seem to indicate that Cuban training of Negroes in subversive operation tactics may not have necessarily been geared toward the United States solely, especially in view of recent developments in Africa. The documents in the #16 series, although they would appear to be relevant to the investigation, relate to sensitive intelligence source materials. This document, however, must also be cleared by the CIA since the last page of the document relates to the CIA Station Chief in a European country.

- D. State Department Memorandum. Document 9 is a December 1963 memorandum from Executive Secretary Read to McGeorge Bundy concerning papers prepared for a December Presidential meeting on Cuba. The memorandum indicates that the papers were prepared for the "President's",

and then it was crossed out to state "Secretary's", use at a 6 p. m. December 2 meeting. There is no further substantive discussion in that document. I would defer, however, to the Department of State as to whether or not that document could be released.

E. Bill Attwood Activities. Documents 26, 27, 27a, 28, 28a, 29 and 29a relate to a special channel being cultivated between Premier Castro and President Kennedy. Although it may not be necessary to protect the information contained in these documents, without knowing whether there has been another public disclosure of the existence of this channel, I would recommend that we not do so. In the event that this, or another similar channel, were ever to be used again in contacting or negotiating with the Cuban Government, it would be important not to disclose the existence or the substance of this one. I would believe that the Department of State would be the most appropriate agency to review these documents and to inform us about the sensitivity of the existence of the Attwood channel.

F. Mafia Assassination Involvement. Documents 24 and 24a concern plans of Cuban exile groups to assassinate selected Cuban Government leaders and their tie-in with elements of "Cosa Nostra." The covering memorandum from Gordon Chase to Mr. Bundy discloses the substance of the ^{Yves}underlined CIA memorandum and I would propose to make it available only on an access basis. With regard to the CIA report itself, I believe that we should defer to the CIA on the matter of release or access.

*didn't
tie already
available!*

G. Cubelas Trial. Documents 21, 21a and 21b contain information that was furnished by the British Government. The British Embassy in Havana monitored the trial of the alleged involvement of Majors Cubelas and Guin in assassination attempts against Castro. (You may recall that the Washington Post article by Mr. George Crile 3 weeks ago related to AM-Lash and Major Cubelas.)

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Although the substance of the information contained in these documents is not sensitive, disclosure of the documents would reveal our relationship with the British Government and the fact that the British Embassy in Havana was reporting information to the United States Government. Whether this relationship or information is disclosed is a matter that must be decided by the Department of State and the British Government and I would recommend that the Department of State be consulted.

12/12

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H. Mr. Hoover's November 24, 1963 Report. Document 30 is an interesting memorandum. Either it is a transcript of a telephone conversation with FBI Director Hoover or it is a memorandum of conversation on his meeting with an official whose initials are WJ (presumably Walter Jenkins). The memorandum containing Mr. Hoover's remarks is a substantive and relatively complete report on points that he evidently made in his conversation. Indeed, it appears to be a verbatim transcript of what he may have said. Although it is not so marked, I believe the document should be classified SECRET and that we should effect that classification.

NO

I don't think we can or should do so

You will note that the memorandum relates to events surrounding the murder of Lee Harvey Oswald by Jack Ruby. It discusses the Dallas Police Department handling of the case and the ~~CIA~~^{FBI} contributions. In addition, it indicates that we were tapping the telephone lines of the Cuban Embassy in Mexico and opening mail addressed to the Soviet Embassy in Washington.

we can't have ex post facto classification

John and I believe that the memorandum could be made available on an access basis only to the Committee Staff and that the FBI and CIA should be informed of its existence.

You may wish to review each of these documents yourself to determine whether they may or may not be released to the Committee Staff. Although my view may be a somewhat

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conservative view, in that in some cases I would recommend ^{only} access as opposed to release, I believe the nature of some of the documents is such that copies should not be delivered to the Committee. At least, that should be our initial position. Because the Committee will more than likely buck at anything less than full and complete disclosure, you will, more than likely, want to consult either with Bill Hyland or General Scowcroft. ⁴ You should be aware that the Committee is very *why* anxious to have these documents made available and have been calling me at least twice every day. I have informed Mr. Epstein and Mr. Wallach, who are members of the Committee Staff, that we are revealing ^{if possible} these documents as quickly as is possible, and because of the complexity and involvement of many different agencies that it is taking a considerable period of time. I indicated that although the NSC Staff review is nearly finished, it will be necessary to seek formally the views of other agencies. Although I gave no definite time when we expected to complete our review, I indicated that I thought by the end of this week there would be an answer ready for them. When Mr. Epstein called me at 1:30 this afternoon he indicated that unless we produced the documents that he would be forced to have them ~~subpoenaed~~ *subpoenaed*. I indicated, in response, that we had been working diligently and devoting most of our time to this matter. I stated that most of my own time on Friday and all of my time today, Monday, had been devoted to this project and, that in my opinion, a subpoena could not quicken a review process that was already moving at full speed. Mr. Epstein indicated that although they were unhappy with this delay that, for now, they would wait on our review.

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